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To: USPTO

From: William B. Slate

FAX #: 571-273-8300

Date: October 8, 2007

Your Ref.: SN 11/733,889

Our Ref.: 085.10959-US (03-429)

Number of Pages including this sheet: 3

Confirmation Copy to Follow: Yes XX No

* Comments:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No.: 10/733,889 Att'y Docket: 085.10959-US(03-429)
Filing Date: December 11, 2003 Conf No.: 1531
Inventor(s): James R. Hochstein, Jr. et al. Group Art Unit: 3749
Assignee: United Technologies Corporation Examiner: Chuka Clement Ndubizu
Title: DETONATIVE CLEANING APPARATUS

Correspondence Address:
Customer Number 34704

REQUEST TO WITHDRAW HOLDING OF FINALITY

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

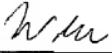
Applicants request the finality of the August 23, 2007 Office action be withdrawn.

The prior amendment incorporated a property inherent in claim 3 into independent claim 1 for clarification. The August 23, 2007 Office action rejected claims including claim 3 under 35 U.S.C. 103(a) as being unpatentable over Jennings et al. in view of Hunter, Jr. The Office action asserted that "Applicant's amendment necessitated the new ground(s) of rejection..." Office action, page 6. However, this is clearly incorrect. The Office action did not attempt to substantiate a basis for this assertion. The incorrectness can be seen, for example, in the prior rejection of claim 3 and present rejection of claims 1 and 3. It appears the new ground is necessary to reject prior claim 3 and was not made necessary by amendment. Accordingly, Applicants request that finality be withdrawn.

Ser. No. 10/733,889

Accordingly, Applicants request reconsideration and further examination. Please charge the required fee (if any) to our Deposit Account of record.

Respectfully submitted,

By 

William B. Slate
Attorney for Applicant
Reg. No.: 37,238

Telephone: 203-777-6628
Telefax: 203-865-0297

Date: October 8, 2007

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Antoinette Sullo